



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Wensley et al.	}	
SERIAL NO.:	10/057,197		EXAMINER: D. Erez
FILED:	October 26, 2001		ART UNIT: 3731
TITLE:	AEROSOL GENERATING METHOD AND DEVICE		CONFIRMATION NO.: 1701

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to the Office Action mailed February 23, 2006, Applicant has the following remarks:

The Examiner required restriction to one of the following inventions under 35 U.S.C.

121:

Species I	Claims 39-42, 156-168, 176 and 180 drawn to a magnetic/inductive heater.
Species II	Claims 124-130, 175 and 179, drawn to an electrical/resistive heater.
Species III	Claim 169, drawn to a thermal heater.
Species IV	Claims 174 and 178, directed towards a heater comprising photon energy.

Applicant hereby elects to prosecute the claims of Species II (claims 124-130, 175 and 179) with traverse.

Claims as they stand begin on page 2.

Remarks begin on page 10.

**37 CFR 1.8  
CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 23, 2006.

Signature: \_\_\_\_\_

Name: Sue Devlin